
HOUSE BILL No. 1357

DIGEST OF INTRODUCED BILL

Citations Affected: IC 33-33-49-32.

Synopsis: Marion superior court magistrates. Allows the judges of the Marion superior court to jointly appoint ten full-time magistrates instead of eight full-time magistrates after June 30, 2008.

Effective: July 1, 2008.

Bardon

January 16, 2008, read first time and referred to Committee on Courts and Criminal Code.

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Introduced

Second Regular Session 115th General Assembly (2008)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2007 Regular Session of the General Assembly.

HOUSE BILL No. 1357

A BILL FOR AN ACT to amend the Indiana Code concerning courts and court officers.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 33-33-49-32, AS AMENDED BY P.L.80-2006,
2 SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2008]: Sec. 32. (a) In addition to the magistrate appointed
4 under section 31 of this chapter, the judges of the superior court may,
5 by a vote of a majority of the judges, appoint:

6 (1) four (4) full-time magistrates under IC 33-23-5 until January
7 1, 2008, not more than two (2) of whom may be from the same
8 political party; ~~and~~

9 (2) eight (8) full-time magistrates under IC 33-23-5 after
10 December 31, 2007, **and until July 1, 2008**, not more than four
11 (4) of whom may be from the same political party; **and**

12 **(3) ten (10) full-time magistrates under IC 33-23-5 after June**
13 **30, 2008, not more than five (5) of whom may be from the**
14 **same political party.**

15 (b) The magistrates continue in office until removed by the vote of
16 a majority of the judges of the court.

17 (c) A party to a superior court proceeding that has been assigned to

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1 a magistrate appointed under this section may request that an elected
2 judge of the superior court preside over the proceeding instead of the
3 magistrate to whom the proceeding has been assigned. A request under
4 this subsection must be in writing and must be filed with the court:

5 (1) in a civil case, not later than:

6 (A) ten (10) days after the pleadings are closed; or

7 (B) thirty (30) days after the case is entered on the
8 chronological case summary, in a case in which the defendant
9 is not required to answer; or

10 (2) in a criminal case, not later than ten (10) days after the
11 omnibus date.

12 Upon a timely request made under this subsection by either party, the
13 magistrate to whom the proceeding has been assigned shall transfer the
14 proceeding back to the superior court judge.

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